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TRANS 14847

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

[Protest of Navy Failure to Provide Requested Information]

FILE: B-199591

DATE: September 8, 1980

MATTER OF: U.S. Duracon Corporation

DIGEST:

GAO is without authority to determine what information must be released by Federal agency under Freedom of Information Act.

U.S. Duracon Corporation protests the failure of the Department of the Navy to provide the firm with certain information requested under the Freedom of Information Act, 5 U.S.C. § 552 (1976), in connection with proposals for the replacement of high temperature hot water lines at the Naval Air Station in Patuxent, Maryland.

Our Office is without authority under the Freedom of Information Act to determine what information must be released by other Government agencies. Dewitt Transfer and Storage Company, 53 Comp. Gen. 533 (1974), 74-1 CPD 47. Moreover, if a party properly requests information from an agency and the request is denied, the only remedy is by suit in the United States District Court. Banner-craft Clothing Company v. Renegotiation Board, 466 F. 2d. 345 (D.C. Cir. 1972); Systems Research Laboratories, Inc.--Reconsideration, B-186842, May 5, 1978, 78-1 CPD 341.

The protest is dismissed.

Harry R. Van Cleave
for Milton J. Socolar
General Counsel

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